

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**JIMMIE D. McDONALD,**

**Plaintiff,**

**vs.**

**CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,**

**Defendant.**

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**Civil No. 12-cv-607-CJP**

**ORDER**

**PROUD, Magistrate Judge:**

Before the Court is the parties' Joint Motion for an Award of Attorney's Fees Under the Equal Access to Justice Act. **(Doc. 35).**

Pursuant to the Equal Access to Justice Act, 28 U.S.C. §2412(d)(1)(B), the parties stipulate that plaintiff is entitled to an award of fees and expenses in the amount of \$7,500.00.

The Court finds that plaintiff is the prevailing party and is entitled to an award of attorney's fees and expenses pursuant to the Act. The Court further finds that the amount of \$7,500.00 is a reasonable and appropriate amount.

The parties' Joint Motion **(Doc. 35)** is **GRANTED**. The Court awards plaintiff Jimmie D. McDonald the sum of \$7,500.00 for attorney's fees and expenses pursuant to the Equal Access to Justice Act. That amount shall be payable to plaintiff, per *Astrue v. Ratliff*, **130 S.Ct. 2521 (2010)**. However, in accordance with the parties' stipulation, any part of the award that is not subject to set-off to pay plaintiff's pre-existing debt to the United States shall be made payable to plaintiff's attorney pursuant to the EAJA assignment previously executed by plaintiff and her

attorney.

**IT IS SO ORDERED.**

**DATE: August 16, 2013.**

**s/ Clifford J. Proud**  
**CLIFFORD J. PROUD**  
**UNITED STATES MAGISTRATE JUDGE**